The Asheville Citizen-Times reported that Barker met Tuesday with Principal Chief Michell Hicks and five members of the Tribal Council. He called the bears' conditions inhumane and asked that they be turned over to a sanctuary in California.

''To think that with as advanced as our civilization is now that there is any place in the United States were bears are kept in pits is just unbelievable,'' said Barker, who is part American Indian and grew up on the Rosebud Indian Reservation in South Dakota. ''Just picture yourself, if your life, 24 hours a day, seven days a week, month after month, was in a pit.''

The bears are displayed in walled enclosures set into the ground at three local attractions that bill themselves as zoos and theme parks.

Barker will discuss the meeting at a news conference Wednesday morning in Asheville.

Hicks told the Asheville Citizen-Times that the tribe follows federal regulations in caring for the bears.

Collette Coggins, who owns one of the attractions, the Cherokee Bear Zoo, with her husband, Barry, said the bears don't stay in the pits all day, every day. ''We love our animals,'' she said. ''They are like our pets.''

FOOD SAFETY ENHANCEMENT ACT OF 2009

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 29, 2009

Ms. SCHAKOWSKY. Mr. Speaker, the use of massive amounts of human antibiotics for non-therapeutic purposes in industrial food animal production is seriously jeopardizing the health of Americans. This practice is contributing to the emergence and spread of antibiotic-resistant bacteria, often rendering ineffective human life-savings drugs.

I am submitting for the record a letter to the White House, signed by twenty reputable organizations such as the Infectious Diseases Society of America, American Medical Association, American Academy of Pediatrics, and Pew Charitable Trusts, which supports the Food and Drug Administration's early steps to phase out the use of antibiotics for growth promotion and feed efficiency in food animals, and calls on the Administration to go further.

JULY 24, 2009.

MS. MELODY BARNES,
Assistant to the President for Domestic Policy, The White House, Washington, DC.

DEAR MS. BARNES: As organizations committed to protecting patients, public health, animal health, and food safety, the undersigned groups are writing to express our grave concern about the misuse of antibiotics in agriculture and our strong support for the Administration's new ''public health approach to antimicrobial use in animals,'' which was articulated by the Food and Drug Administration (FDA) in its July 13th statement before the Rules Committee of the U.S. House of Representatives. The Obama Administration's leadership in providing a clear path forward on this highly politically charged issue is very much welcomed after decades of inertia.

Our combined memberships include the country's foremost scientific and medical experts and represent more than eleven million concerned Americans and health professionals. Our position is based on objective health interests and concerns that dangerous drug resistant infections are rapidly increasing in hospitals and community settings adding to the economic burden of the U.S. healthcare costs.

Specifically, we support the FDA's calls for phasing out the use of antimicrobial drugs for growth promotion and feed efficiency, and for requiring that all other uses of these drugs be carried out under the supervision of a veterinarian and within the boundaries of a valid veterinarian-client-patient relationship—which we expect will end over-the-counter sales of tons of antimicrobial drugs annually. We also support the agency's expressed intent to clearly define the limited instances where antimicrobials may be used judiciously in food animals for purposes of disease prevention and control and are eager to work with FDA to ensure that the policy developed is the most protective of public health. We also urge the agency to make the new antimicrobial policy mandatory, retroactive to already-approved drugs, and enforceable, in order to best guarantee a significant reduction in antimicrobial use. The Administration's statement clearly demonstrates a commitment to sound and science-based policies that are backed up by scores of scientific and medical publications and will protect the health of every American.

The development of antimicrobial agents to treat life-threatening infections has been one of the most notable medical achievements of the past century. Physicians, healthcare professionals, and public health and food safety advocates are greatly concerned about the growing body of scientific evidence demonstrating that antimicrobial drug use in livestock and poultry contributes to the spread of drug-resistant bacteria to people. Drug-resistant organisms are plaguing Americans, including otherwise healthy individuals, in healthcare settings and communities across the country. We are pleased that these concerns finally are being recognized and addressed by the federal government to forestall epidemics of untreatable infections.

Fundamental to FDA's new approach—and our support for it—are the principles that: ''protecting public health requires the judicious use in animal agriculture of those antimicrobials of importance in human medicine'' and that ''purposes other than for the advancement of animal and human health should not be considered judicious use.''—Dr. Joshua Sharfstein, FDA's Principal Deputy Commissioner, July 13, 2009.

The Administration's vision to eliminate non-judicious uses of antimicrobial drugs, including for purposes of growth promotion and feed efficiency and non-judicious disease prevention which have been practiced in animal agriculture for several decades, demonstrates a critical public policy shift that will better protect the public against resistant infections and preserve the power of existing antibiotics. In addition, we urge FDA to formalize its position on veterinary supervision of all antimicrobial uses and ending the over-the-counter sale of antibiotics for animal agricultural uses, which are long-overdue. The sale of antimicrobials for use in human medicine requires a prescription; there is no reason to permit a lower standard for agricultural purposes where considerably more antimicrobial drugs are used annually.

The Administration's new policy direction appears intended to reflect the concerns of a broad consensus of the scientific, medical, public health and international health communities. Such consensus is buttressed by the actions of expert bodies and governments. For example:

Since 2002, the World Health Organization (WHO) has called upon all nations to shift from use of antimicrobials in non-human medicine.

In 2003, the Institute of Medicine (IOM) of the National Academies of Science called on the FDA to ban the use of antimicrobials for growth promotion in animals, if those drugs were also used in human medicine.

In 2006, the European Union banned non-therapeutic use of antimicrobials, because such use was found to raise food safety concerns, and the ban was instituted to protect against further development of antimicrobial resistance.

We recognize that phasing out of antimicrobials for non-judicious uses in animals will require changes in the agricultural industry. But protection of the public's health must come first, and the phase out can be conducted in a way that that minimizes costs to the agriculture industry. Farmers in Europe have adapted to such a policy without undue disruption of production or increased consumer costs; the United States can learn from that experience while also protecting American lives. In addition, the U.S. Department of Agriculture has recognized that various production methods used in the United States today are viable alternatives to non judicious antimicrobial uses and such alternatives are employed with little negative—or even with somewhat positive—economic impact to producers.

We urge you to maintain the scientifically sound positions the Administration already has taken in support of phasing out growth promotion and feed efficiency uses, and to finalize a policy that will strictly manage a narrow set of prophylactic uses while mandating veterinary-patient relationships and eliminating the over-the-counter sale of antibiotics for use in animals.

We remain committed to working with the Administration to implement these new approaches in ways that will best protect the lives and health of both humans and animals.

Sincerely,

Alliance for the Prudent Use of Antibiotics.
American Academy of Pediatrics.
American Association of Critical-Care Nurses.
American Medical Association.
American Pharmacists Association.
American Public Health Association.
American Society of Health-System Pharmacists.
Association for Professionals in Infection Control and Epidemiology.
Food Animal Concerns Trust.
Humane Society of the United States.
Infectious Diseases Society of America.
Institute for Agriculture and Trade Policy.
Keep Antibiotics Working.
Michigan Antibiotic Resistance Reduction Coalition.
National Association of County and City Health Officials.
Pew Campaign on Human Health and Industrial Farming.
Premier, a healthcare alliance serving 2,100 nonprofit hospitals and 58,000 healthcare sites.
Society of Infectious Diseases Pharmacists.
Trust for America's Health.
Union of Concerned Scientists.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately I missed recorded

votes on the House floor on Monday, July 27, 2009.

I ask that the record reflect that had I been present, I would have voted ''aye'' on rollcall vote No. 647 (on motion to suspend the rules and agree to H. Res. 593); ''no'' on rollcall vote No. 648 (on motion to suspend the rules and agree to HR. 1376); and ''aye'' on rollcall vote No. 649 (on motion to suspend the rules and agree to H.R. 1121).

INTRODUCING THE TAX EQUITY FOR MEAL REPLACEMENTS AND SUPPLEMENTS ACT OF 2009

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. BLUMENAUER. Madam Speaker, there are small, common sense steps everyone can take to improve their health, save money, and reduce unnecessary visits to the doctor. Nutritional supplements can significantly improve health, and by making vitamins and supplements more affordable, we can help people stay healthy while reducing medical costs.

For that reason, I have introduced the Tax Equity for Meal Replacements and Supplements Act of 2009, which will make it easier for our constituents to make healthy choices and improve their health and well-being. This legislation allows employees to purchase certain dietary supplements and meal replacement products with pre-tax dollars already reserved for health needs.

The prevention of disease is a key factor in limiting health care expenditures. A 2007 study conducted by The Lewin Group showed that the appropriate use of select dietary supplements over a five year period would improve the health of key populations and save the nation more than $24 billion in healthcare costs.

Among the findings, that report noted that if 11.3 million of the 44 million American women who are of childbearing age and not taking folic acid, began taking 400 mcg. of folic acid on a daily basis, neural tube defects could be prevented in 600 babies, saving as much as $344 million in the first year. Over five years, taking into account the cost of the supplement, $1.4 billion could potentially be saved.

The report also highlighted the potential five-year savings in health care expenditures resulting from a reduction in the occurrence of coronary heart disease, CHD, among the population over age 65. Through a daily intake of approximately 1800 mg of omega-3, the occurrence of this disease can be reduced, saving $3.2 billion. Approximately 374,301 hospitalizations and associated physician fees due to CHD could also be avoided.

I look forward to working with my colleagues to pass this commonsense legislation.

EARMARK DECLARATION

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 30, 2009

Mr. TIAHRT. Madam Speaker, in accordance with the Republican Earmark Standards Guidance, I submit the following in regard to the Fiscal Year 2010 Department of Defense Appropriations Act found in H.R. 3326:

PORTABLE MILITARY RADIO COMMUNICATIONS TEST SET

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $1,500,000 for Portable Military Radio Communications Test Set in the Marine Corps, Procurement Account. The entity to receive funding for this project is Aeroflex at 10200 West York Road, Wichita, KS 67215–8999.

The Portable Military Radio Communications Test Set was developed with the military in mind with its portability, rugged build, and weight. The technician can easily perform maintenance checks of radio systems (including antennas & cables); perform diagnostics or troubleshooting of faulty radio systems in order to repair or restore the radio systems. The test set is portable, weighing in at only 8.5 lbs (including the battery). It operates from a rechargeable battery with about 5 hours operating time. With the additional capability to perform quick testing of antennas and cables, the Portable Military Radio Communications Test Set provides for the tester to isolate problems and assess performance of the radio, cable, and antenna systems. It was designed to significantly reduce the number of radios incorrectly removed from vehicles where it was later determined to have no trouble found.

The Marine Corps pays about $10,000 for each tester, with a requirement for 1600 units. This funding will go to procurement of the testers to meet this requirement.

No matching funds are required for this Department of Defense project.

RADIO PERSONALITY MODULES FOR SINCGARS TEST SETS

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $3,000,000 for Radio Personality Modules for SINCGARS Test Sets in the Army, Other Procurement Account. The entity to receive funding for this project is Aeroflex at 10200 West York Road, Wichita, KS 67215–8999.

The funds will fund Radio Personality Modules for SINCGARS Test Sets which capitalizes upon existing radio test sets by making them up to 10 times more capable than they were before. Presently, the GRM–122 test set diagnoses only one type of radio—the SINCGARS. After the proposed upgrade, the very same tester will be able to test multiple radios in common use, including: UHF radios, VHF radios, high frequency radios, intercoms, survival vest radios, and four different types of navigation radios installed in aircraft on the flight line. This efficient program saves both time and money. Time, because the technician performing the test will have the entire test suite he requires at his immediate disposal on the flight line; and money because the Aviation Intermediate Maintenance locations equipped with Radio Personality Modules for SINCGARS Test Sets will not need to acquire nor carry entire test suites of disparate equipments.

This funding is for procurement of these test sets. The cost of each test suite is $157,946—there is a need for about 80 test sets in all. The anticipated source of funding for the duration of the project is funding from the government; the customer is the US Army.

No matching funds are required for this Department of Defense project.

DIRECTED ENERGY SYSTEMS FOR UAV PAYLOADS

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $1,000,000 for Directed Energy Systems for UAV Payloads in the Defense-wide, RDT&E Account. The entity to receive funding for this project is ARC Technology at 13076 NW 120th St., Whitewater, KS 67154.

ARC anticipates that federal funds will complete the research and development of this technology. This technology enables both offensive and defensive capabilities from UAV platforms that are either controlled or autonomous. Targets of interest include remotely controlled devices, communications systems, computers, electronics, radar systems, infrared and acoustic sensors, and GPS jammers. The FY 10 funding addresses additional integration issues, range extension, packaging issues, and customer performance verification for incorporation into specific delivery platforms.

BUDGET FOR UAV PAYLOAD DIRECTED ENERGY SYSTEMS

Materials—5%
Labor—70%
Testing—15%
Performance verification*—10%
Total—100%

*Per customer specifications, to simulate performance in end applications.

No matching funds are required for this Department of Defense project.

B–52 TACTICAL DATA LINK PROGRAM

The Department of Defense Appropriations Act, 2010, H.R. 3326, contains $6,000,000 for B52 Tactical Data Link (TDL) Program in the Air Force, Research and Development account. This project is for The Boeing Corporation located at P.O. Box 7730 MC K71–33, Wichita, KS 67277–7730.

The B–52 Combat Communications Network Technology (CONECT) Capabilities Description Document (CDD) identified mission area capability gaps that supplied rationale for Line-of-sight (LOS) Tactical Data Link (TDL) communications. These mission area capability gaps continue to exist for missions that the B–52 has been tasked to perform. Current planned B–52 CONECT Phase A capability, slated for IOC in 2011, relies on low-speed data links that are not jam-resistant and will not meet specific mission area goals. To meet mission goals within theater operations (300 nautical miles or less), a jam-resistant, low-latency tactical data link capability is required.

Original B–52 CONECT program effort included the integration of a LOS TDL capability per the CDD requirements. During FY2005, the LOS TDL component and associated funding was removed from the program. The current B–52 CONECT program includes a two phase delivery with the initial capability (Phase A) providing low-speed BLOS and LOS communications that are not jam-resistant followed by an additional phase that adds the Family of Advanced BLOS Terminals (FAB–T) Airborne Wideband Terminal (AWT) for enhanced jam-resistant BLOS reach-back capability to the B–52. The initial phase of the program provided significant computing hardware integration and infrastructure as the basis for future communications data link integration on the B–52.

Full integration of a LOS TDL on the B–52 involves significant effort to design, test, and certify the system for operational use. The original B–52 CONECT program solution set involved integrating the MIDS JTRS terminal that has been under development since FY2004. This architecture involved integration of the legacy Link–16 Tactical waveform. Numerous platforms have integrated the Link–16